

REMARKS

In the Office Action mailed on October 6, 2004, claims 1-5, 9-12, 15 and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Conklin (U.S. Patent No. 2,230,051); claims 6, 7, 14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin in view of Perhats, Sr. (U.S. Patent No. 6,116,513); claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin in view of Inoue (U.S. Patent No. 5,722,588); and claim 13 was discussed as if it had been rejected even though no rejection was made and no a statutory basis for a rejection was given.

Claims 1-5, 9-12, 15 and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Conklin. The subject Office Action pointed to specific disclosure in Conklin, particularly, col. 2 line 43 to col. 3 line 7, as support for the rejection of these claims. This cited portion of Conklin discloses an auxiliary pump having a motor that is connected with the electrical equipment of the car, and a switch on the instrument board for controlling the operation of the motor to promote circulation of the heating medium into the heater. Claim 1 however recites an after-run heating system kit comprising a first control circuit for mounting in the engine compartment and having a plurality of one of removable electrical plugs or connector receptacles, a second control circuit for mounting in the passenger compartment and having a plurality of the other of removable electrical plugs or connector receptacles, the plugs and receptacles being removably engageable with one another for installing an interconnected system. In addition, claim 1 recites a pump control circuit having a plurality of the other of removable electrical plugs or connector receptacles so as to be selectably electrically connectable to the first control circuit and an air thermostat and having a plurality of one of removable electrical plugs or connector receptacles so as to be selectably electrically connectable to the second control circuit, the pump control circuit

and air thermostat being installed if a divided system is desired. Applicant respectfully submits that the cited portion of Conklin does not disclose the subject matter of claim 1. Moreover, it is respectfully submitted that the entire Conklin reference fails to disclose all the features of claim 1. The subject Office Action provides no specific indication of where each and every feature of claim 1 is disclosed. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1.

Since claims 2-5 and 9 are dependant on claim 1 and since Conklin does not disclose the subject matter of claim 1 as discussed above, Conklin cannot disclose all the features of claims 2-5, and 9 and therefore these claims should be allowable. In addition, claim 2-5 and 9 recite additional features not disclosed by Conklin and are patentably distinct. For example, claim 4 depends from claim 1 via intervening claims 2 and 3 and recites the additional features of the pump control circuit is adapted for mounting in the engine compartment and is connectable to the vehicle electrical system and to the first control circuit for controlling the operation of the auxiliary pump while being free of mechanical, electrical or electromagnetic interconnection to the fan control circuit. Claim 9 depends on claim 1 and recites the additional features of the second control circuit is a fan control circuit which controls operation of the heater fan after the engine has been turned off and further comprising a relay between the second control circuit and the heater fan. Applicant respectfully submits that Conklin does not disclose such features. Indeed, the Office Action provides no indication of where these features are disclosed. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 2-5 and 9.

Independent claim 10 recites an after-run heating system kit having a first set of components mountable in the engine compartment, and a second set of components mountable in

the passenger compartment, the first and second sets of components being arranged so as to be installable either as a divided system or as an interconnected system. Applicants respectfully submit that Conklin does not disclose the subject matter of claim 10. The portion of Conklin cited in the Office Action discloses an auxiliary pump having a motor that is connected with the electrical equipment of the car and a switch on the instrument board for controlling the operation of the motor to promote circulation of the heating medium into the heater. Not only are the features of claim 10 not disclosed in this portion of the Conklin reference cited in the Office Action but they are not disclosed anywhere in the Conklin reference. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 10.

Since claims 11, 12, and 15 depend from claim 10 and since Conklin fails to disclose the features of independent claim 10, Conklin cannot disclose all the features of claims 11, 12, and 15 and therefore should be allowable. In addition, these claims are patentably distinct and include additional features not taught or suggested by the prior art. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 11, 12, and 15.

Claim 17 recites a method of installing an after-run heater in either a divided or interconnected system comprising mounting a first control circuit in the engine compartment, mounting a second control circuit in the passenger compartment, electrically connecting the first control circuit directly to the second control circuit if an interconnected system is desired, mounting a pump control circuit in the engine compartment and electrically connecting it to the first control circuit if a divided system is desired, and mounting an air thermostat in the passenger compartment and electrically connecting it to the second control circuit if a divided system is desired.

Conklin does not disclose such features. Indeed, the portion of the Conklin reference cited in the Office Action discloses an auxiliary pump having a motor that is connected with the electrical equipment of the car and a switch on the instrument board for controlling the operation of the motor to promote circulation of the heating medium into the heater. In addition, Applicant submits that even the entire Conklin reference fails to disclose all the features of claim 17. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 17.

Claims 6, 7, 14, and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin in view of Perhats, Sr. It was stated that Conklin discloses all of the limitations of claim(s) except for an air thermostat that is mountable in the air plenum for sensing the temperature of air flowing into the temperature compartment and that Perhats, Sr. discloses this absent feature. Applicant respectfully disagrees.

As discussed above with respect to claims 1-5, 9-12, 15 and 17, Conklin does not disclose all the features of claims 6, 7, 14 and 16 except for an air thermostat that is mountable in the air plenum for sensing the temperature of air flowing into the temperature compartment. The cited portion of Conklin discloses an auxiliary pump having a motor that is connected with the electrical equipment of the car and a switch on the instrument board for controlling the operation of the motor to promote circulation of the heating medium into the heater. Claims 6, 7, 14 and 16 recite features that are not taught or suggested by Conklin. Adding the teachings of Perhats, Sr. does not cure the deficiencies of Conklin even when considering the entire Conklin reference. Therefore, claims 6, 7, 14, and 16 should be allowable.

In addition, even assuming that the Conklin reference discloses, which it does not, all the features of the claims 7 and 14 except for an air thermostat that is mountable in the air plenum

for sensing the temperature of air flowing into the temperature compartment adding the teachings of Perhats, Sr. still does not teach or suggest all the features of claims 7 and 14. Claim 7 recites among other things a seasonal on-off switch having a pair of said one of removable electrical plugs or connector receptacles selectably connectable to said other of removable electrical plugs or connector receptacles of the pump control circuit and claim 14 recites among other things a relay between the second control circuit and the heater fan. Applicant submits that the mere recitation of a seasonal on-off switch and a relay in Perhats, Sr. does not amount to a disclosure of all the features of claims 7 and 14. These features are not taught or suggested by Conklin alone or in combination with the prior art including Perhats, Sr and should therefore be allowable. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6, 7, 14 and 16.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatenable over Conklin in view of Inoue. According to the Office Action, Conklin discloses all the features of claim 8 except for an ambient temperature sensor having a pair of removable electrical plugs or connector receptacles selectably connectable to the other of removable electrical plugs or connector receptacles of the pump control circuit and that Inoue discloses this absent feature. Applicant respectfully submits that Conklin does not disclose such features as discussed above with respect to claim 1. Therefore, claim 8 should be allowable.

In addition, even if Conklin does disclose such features combining Conklin with Inoue still does not teach or suggest all the features of claim 8. While Inoue discloses a temperature sensor 61, Inoue does not disclose an ambient temperature sensor having a pair of removable electrical plugs or connector receptacles selectably connectable to the other of removable electrical plugs or connector receptacles of the pump control circuit.

Furthermore, there is no suggestion to combine these references. Indeed, Inoue teaches away from an after-run heating system kit of the present invention. Inoue teaches a combustion heater as an auxiliary vehicle heater instead of using the engine cooling water. See. col. 1, lines 5-17. In contrast, the present invention teaches an after-run heating system to heat the passenger compartment by continuing circulation of the engine coolant. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 8.

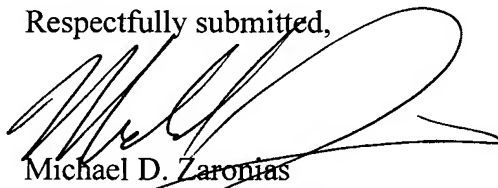
Lastly, claim 13 was discussed as if it had been rejected even though no formal rejection was made nor was a statutory basis for a rejection given. Claim 13 depends from claim 10 through intervening claims 11 and 12 all of which were rejected as anticipated by Conklin. The Office Action stated that the recitation of "adapted for" in claim 13 does not constitute a limitation in any patentable sense. Therefore Applicant is left speculating that the Office Action possibly meant to reject claim 13 as anticipated by Conklin along with the rejection of claims 1-5, 9-12, 15 and 17. However, even if the recitation of "adapted for" in claim 13 does not constitute a limitation in any patentable sense, Applicant submits that claim 13 recites features beyond just the "adapted for" feature. Claim 13 also recites the pump control circuit being connectable to the vehicle electrical system and to the first control circuit for controlling operation of the auxiliary pump while being free of mechanical, electrical or electromagnetic interconnection to the fan control circuit. Not only does Conklin not teach or suggest all the features of claim 13 alone or in combination with any of the prior art, Conklin does not teach or disclose all the features of the claims from which claim 13 depends as discussed above with respect to claims 10-12. Therefore, claim 13 should be allowable. Applicants respectfully request reconsideration and withdrawal of any rejection that may have been intended but not stated.

Application Serial No. 10/626,153
Reply to Office Action Dated 10-6-04
Reply Date 1-5-05

For at least the reasons given above, Applicant submits that all the claims are now in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and withdrawal of all the rejections and that a timely Notice of Allowance be issued.

It is believed that no fees are due with this reply. However, if a fee should be required, the Commissioner is authorized to charge our Deposit Account No. 50/1039.

Respectfully submitted,



Michael D. Zaronias
Registration No. 54,564

Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams Street
Suite 2850
Chicago, Illinois 60606
312.236.8500